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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2010-2011

Report of the Secretary-General

Summary

The second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2010-2011 is submitted pursuant to General Assembly resolution 65/253. The report provides an estimate of the anticipated final level of expenditure for the biennium 2010-2011, taking into account changes in parameters for inflation and exchange rates and cost-of-living adjustments vis-à-vis the assumptions made in the first performance report (A/65/581), which was reviewed by the Assembly at its sixty-fifth session and which formed the basis for the revised appropriation and estimate of income for the biennium.

The revised requirements reflect an increase of $6,960,500 gross (a decrease of $3,797,400 net) compared with the revised appropriation for the biennium 2010-2011. The increase is the result of the net effect of an increase due to exchange rate fluctuations ($7,230,300 gross ($6,881,900 net)) and an increase resulting from the effect of inflation ($2,273,500 gross ($1,878,300 net)), partly offset by a decrease in post incumbency and other changes ($2,543,300 gross ($12,557,600 net)).

The General Assembly is requested to revise the appropriation for 2010-2011 to the Special Account for the International Tribunal for the Former Yugoslavia to $327,472,300 gross ($286,012,600 net).

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I. Introduction

1. The purpose of the present second performance report on the budget of the International Tribunal for the Former Yugoslavia is to provide an estimate of the final level of resources required for the biennium. The estimate is based on actual expenditures for the first 19 months of the biennium, projected requirements for the last 5 months and changes in inflation and exchange rates and cost-of-living adjustments compared with the assumptions made in the first performance report (A/65/581), which was reviewed by the General Assembly at its sixty-fifth session and which formed the basis for the revised appropriation for the biennium 2010-2011.

2. The activities of the International Tribunal are predominantly trial-based, and most of the requirements are therefore linked to the pace of trial activities.

II. Explanation of the changes in net expenditure requirements

3. The estimates in the present report reflect an increase of $6,960,500 gross (a decrease of $3,797,400 net) compared with the revised appropriation approved by the General Assembly in its resolution 65/253. The distribution of the projected changes and the proposed final appropriation for the International Tribunal for the biennium 2010-2011 are set out in tables 1 and 2.

Table 1
Estimated final requirements by component and main determining factor
(Thousands of United States dollars)

Component	*Revised 2010-2011 appropriation*	*Projected changes*				*Proposed 2010-2011 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Chambers	14 356.0	31.3	14.6	410.9	456.8	14 812.8
Office of the Prosecutor	72 013.7	1 403.3	117.3	6 276.2	7 796.8	79 810.5
Registry	230 380.0	5 704.3	2 108.0	(8 922.3)	(1 110.0)	229 270.0
Records management and archives	3 762.1	91.4	33.6	(308.1)	(183.1)	3 579.0
Total expenditure (gross)	**320 511.8**	**7 230.3**	**2 273.5**	**(2 543.3)**	**6 960.5**	**327 472.3**
Income						
Staff assessment	30 424.3	348.4	395.2	10 014.3	10 757.9	41 182.2
Other income	277.5	—	—	—	—	277.5
Total requirements (net)	**289 810.0**	**6 881.9**	**1 878.3**	**(12 557.6)**	**(3 797.4)**	**286 012.6**

Table 2
Projected expenditure by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2010-2011 appropriation*	*Projected changes*				*Proposed 2010-2011 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Posts	119 217.2	2 659.7	802.8	1 685.6	5 148.1	124 365.3
Other staff costs	71 653.6	2 015.7	231.4	(6 109.9)	(3 862.8)	67 790.8
Salaries and allowances of judges	14 175.9	30.4	12.5	418.9	461.8	14 637.7
Consultants and experts	776.9	18.3	6.9	(87.2)	(62.0)	714.9
Travel of staff	4 490.2	—	52.9	(413.3)	(360.4)	4 129.8
Contractual services	47 224.8	1 336.5	473.4	(4 990.5)	(3 180.6)	44 044.2
General operating expenses	26 114.5	664.5	241.8	(2 439.0)	(1 532.7)	24 581.8
Hospitality	16.2	0.5	0.2	(0.6)	0.1	16.3
Supplies and materials	1 815.3	47.2	16.9	(405.2)	(341.1)	1 474.2
Furniture and equipment	4 071.9	98.8	36.2	68.2	203.2	4 275.1
Improvement of premises	240.6	10.3	3.3	(15.4)	(1.8)	238.8
Grants and contributions	290.4	—	—	(269.2)	(269.2)	21.2
Staff assessment	30 424.3	348.4	395.2	10 014.3	10 757.9	41 182.2
Total expenditure (gross)	**320 511.8**	**7 230.3**	**2 273.5**	**(2 543.3)**	**6 960.5**	**327 472.3**
Income						
Staff assessment	30 424.3	348.4	395.2	10 014.3	10 757.9	41 182.2
Other income	277.5	—	—	—	—	277.5
Total requirements (net)	**289 810.0**	**6 881.9**	**1 878.3**	**(12 557.6)**	**(3 797.4)**	**286 012.6**

A. Variations in budgetary assumptions

Rates of exchange and inflation (increase: $9,503,800)

4. The increase in this category is attributable to the impact of exchange rate fluctuations ($7,230,300), owing mainly to the weakening of the dollar vis-à-vis the euro during the period from November 2010 to October 2011 and the application of the October exchange rate for November and December 2011, and to increased requirements for inflation ($2,273,500). With regard to inflation, the adjustments are based on the latest information available on consumer price indices, as well as adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above and actual cost-of-living adjustments of salary scales for staff in the General Service and related categories as compared with the assumptions made in the revised appropriation. Details of the assumptions used in arriving at the foregoing figures are outlined in annex I to the present report.

B. Other requirements

Chambers

Table 3
Projected expenditure by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2010-2011 appropriation*	*Projected changes*				*Proposed 2010-2011 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Salaries and allowances of judges	14 175.9	30.4	12.5	418.9	461.8	14 637.7
Consultants and experts	29.4	0.9	0.3	(1.3)	(0.1)	29.3
Travel of staff	150.7	—	1.8	(6.7)	(4.9)	145.8
Total requirements	**14 356.0**	**31.3**	**14.6**	**410.9**	**456.8**	**14 812.8**

Salaries and allowances of judges (increase: $418,900)

5. The increase is attributable to delays in the completion dates of trials which resulted in fewer judges leaving the Tribunal during the biennium than originally foreseen and to the lump sum ex gratia payments made to ad litem judges leaving the Tribunal in 2011 as approved by the General Assembly in its resolution 65/258, for which no provisions were made in the 2010-2011 budget.

Office of the Prosecutor

Table 4
Projected expenditure by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2010-2011 appropriation*	*Projected changes*				*Proposed 2010-2011 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Posts	31 510.0	677.4	83.7	(402.0)	359.1	31 869.1
Other staff costs	30 541.3	658.2	(49.5)	1 933.0	2 541.7	33 083.0
Consultants and experts	301.3	5.4	2.3	36.0	43.7	345.0
Travel of staff	881.5	—	8.1	(14.9)	(6.8)	874.7
Contractual services	47.5	1.5	0.5	(2.4)	(0.4)	47.1
Staff assessment	8 732.1	60.8	72.2	4 726.5	4 859.5	13 591.6
Total expenditure (gross)	**72 013.7**	**1 403.3**	**117.3**	**6 276.2**	**7 796.8**	**79 810.5**
Income						
Staff assessment	8 732.1	60.8	72.2	4 726.5	4 859.5	13 591.6
Total requirements (net)	**63 281.6**	**1 342.5**	**45.1**	**1 549.7**	**2 937.3**	**66 218.9**

Posts (decrease: $402,000)

6. The decrease reflects the net effect of decreased requirements under salaries ($537,900), partly offset by increased requirements under common staff costs ($135,900). The reduced requirements under salaries are due to the fact that the salaries of the incumbents of the positions were, on average, lower than the standard salary costs during the biennium 2010-2011. The budgetary assumptions included a vacancy rate of 9.5 per cent for the Professional category and above and 7.9 per cent for the General Service and related categories. During 2010 the average vacancy rates were 11.6 per cent for Professional posts and 0.9 per cent for General Service posts. For the period from January to September 2011, the average vacancy rates were 12.6 per cent for Professional posts and 0.3 per cent for General Service posts. At the end of September 2011, a total of 11 posts (10 Professional and 1 General Service) remained unencumbered, reflecting actual vacancy rates of 12.2 per cent for Professional posts and 2.9 per cent for General Service posts. The increased requirements under common staff costs relate to frequent rotation in the Office of the Prosecutor, which has resulted in higher payments for installation/repatriation travel and allowances, generating a higher rate of actual common staff costs than projected.

7. Provisions under staff assessment amount to $13,591,600, reflecting a net increase of $4,859,500, which is offset by the same amount under income from staff assessment.

Other staff costs (increase: $1,933,000)

8. The increase is based on the pattern of expenditure for general temporary assistance positions.

Consultants and experts (increase: $36,000)

9. The increase is due to the undertaking of a court-ordered forensic mission to the former Yugoslavia in August 2011 for which no provisions had been made in the 2010-2011 budget.

Registry

Table 5
Projected expenditure by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2010-2011 appropriation*	*Projected changes*				*Proposed 2010-2011 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Expenditure						
Posts	87 707.2	1 982.3	719.1	2 087.6	4 789.0	92 496.2
Other staff costs	39 253.1	1 313.1	264.6	(7 966.2)	(6 388.5)	32 864.6
Consultants and experts	387.7	10.4	3.8	(119.5)	(105.3)	282.4
Travel of staff	3 433.2	—	42.7	(391.5)	(348.8)	3 084.4
Contractual services	46 681.0	1 322.7	468.4	(4 937.1)	(3 146.0)	43 535.0
General operating expenses	26 114.5	664.5	241.8	(2 439.0)	(1 532.7)	24 581.8
Hospitality	16.2	0.5	0.2	(0.6)	0.1	16.3
Supplies and materials	1 815.3	47.2	16.9	(405.2)	(341.1)	1 474.2
Furniture and equipment	2 748.6	65.7	24.2	246.0	335.9	3 084.5
Improvement of premises	240.6	10.3	3.3	(15.4)	(1.8)	238.8
Grants and contributions	290.4	—	—	(269.2)	(269.2)	21.2
Staff assessment	21 692.2	287.6	323.0	5 287.8	5 898.4	27 590.6
Total expenditure (gross)	**230 380.0**	**5 704.3**	**2 108.0**	**(8 922.3)**	**(1 110.0)**	**229 270.0**
Income						
Staff assessment	21 692.2	287.6	323.0	5 287.8	5 898.4	27 590.6
Other income	277.5	—	—	—	—	277.5
Total requirements (net)	**208 410.3**	**5 416.7**	**1 785.0**	**(14 210.1)**	**(7 008.4)**	**201 401.9**

Posts (increase: $2,087,600)

10. The increase reflects increased requirements under salaries ($2,891,200) owing to the lower-than-budgeted vacancy rate during the biennium 2010-2011, partly offset by decreased requirements under common staff costs arising from lower-than-budgeted actual rates of common staff costs ($803,600). The budgetary assumptions included a vacancy rate of 9.5 per cent for the Professional category and above and 7.9 per cent for the General Service and related categories. During 2010, the average vacancy rates were 7.4 per cent for Professional posts and 3.7 per cent for General Service posts. For the period from January to September 2011, the average vacancy rates were 7.9 per cent for Professional posts and 2.1 per cent for General Service posts. At the end of September 2011, a total of 19 posts (15 Professional and 4 General Service) remained unencumbered, reflecting actual vacancy rates of 8.5 per cent for Professional posts and 1.6 per cent for General Service posts. The decreased requirements under common staff costs relate to a lower turnover in the Registry than in the Tribunal as a whole, which has generated a lower rate of actual common staff costs than projected.

11. Provisions under staff assessment amount to $27,590,600, reflecting a net increase of $5,898,400, which is offset by an equivalent amount under income from staff assessment.

Other staff costs (decrease: $7,966,200)

12. The decrease is mainly attributable to reduced requirements under interpretation ($1,337,900), translation ($246,900), general temporary assistance ($6,132,200) and overtime and night differential ($195,800). Decreased requirements under interpretation and translation are mainly attributable to less-than-anticipated trial activity during the biennium because of the statutory time frames of the rules of procedure and evidence and to factors beyond the Tribunal's control, which have resulted in delays in the trial schedule. Reduced requirements under general temporary assistance are based on the patterns of expenditure. The decrease under overtime and night differential has been achieved through continual and rigorous monitoring of requests for overtime and night differential during the biennium.

Consultants and experts (decrease: $119,500)

13. The decrease is due to delays in the trial schedule, including the postponement of hearings in the Šešelj case, which resulted in a lower-than-anticipated number of expert witnesses being called to testify before the courts.

Travel of staff (decrease: $391,500)

14. The decrease is mainly attributable to changes in the projected completion dates of trials owing to factors beyond the Tribunal's control. As a result, fewer witnesses, support persons and dependents travelled to the Hague.

Contractual services (decrease: $4,937,100)

15. The decrease is mainly attributable to reduced requirements for defence counsel fees ($2,317,900), detainee services ($107,300), contractual verbatim reporting ($2,091,200) and data-processing services ($152,900). The decrease under defence counsel fees is mainly due to several changes in the scheduling of trials, including the temporary suspension of ongoing trials and delays in the commencement of trials, the ranking of several cases at lower levels of complexity and changes in the assumptions regarding self-representation. The decrease under detainee services is mainly due to slightly lower charges under the agreement governing the provision of detention services for the Tribunal detainees. The decrease under contractual verbatim reporting is mainly the result of delays or postponements in the proceedings, which had a consequential impact on courtroom utilization and hearing time and led to lower requirements for court reporting services in both English and French. The decrease under data-processing services is mainly due to the consolidation of the Tribunal's Internet requirements, which resulted in reduced monthly offsite web hosting service costs.

General operating expenses (decrease: $2,439,000)

16. The decrease is mainly attributable to reduced requirements under communications ($168,900), maintenance of data-processing equipment ($1,024,200), maintenance of various items of equipment ($191,300) and miscellaneous services ($918,000), partly offset by increased requirements under rental of premises

($159,300). The decrease under communications is due to economies achieved through sharp competition in the deregulated telecommunications industry; a more intensive use of fax and e-mail services, which reduces the need for postage; lower rates under a new contract for courier services; and the use of in-house organized transportation arrangements for pouch services. The decrease under data-processing equipment is due to the purchase of a storage area network (which was previously leased), resulting in a significant reduction in maintenance costs, and to reduced maintenance costs for network equipment resulting from the change of provider for core elements of the network. The decrease under maintenance of various items of equipment results from proactive maintenance and equipment life cycle replacement programmes implemented by the Tribunal. The decrease under miscellaneous services is mainly due to savings under claims and medical services for witnesses owing to the lower-than-budgeted number of witnesses and their families in need of temporary relocation within the Netherlands. The increase under rental of premises is due to slightly increased rental costs.

Supplies and materials (decrease: $405,200)

17. The decrease is mainly attributable to reduced requirements under office and data-processing supplies ($110,100), public information supplies ($138,300) and uniforms ($105,500). The decrease under office and data-processing supplies is attributable to strict controls implemented on the use of printer toner and other supplies throughout the different organs of the Tribunal and to the greater use of disclosure of evidence and other legal materials in electronic rather than hard-copy format, made possible through the expansion of the e-court and electronic data systems, as well as the more intensive use of e-mail for text and image document transmissions. The reduction under public information supplies is due to a reduction in the number of tapes used for court proceedings as a consequence of a lower-than-forecast rate of courtroom utilization. The reduced requirements under uniforms are mainly the result of the longer replacement cycle for full uniform attire for Security Officers.

Furniture and equipment (increase: $246,000)

18. The increase is mainly due to increased requirements for audio-visual equipment that has exceeded its life cycle. Although it was initially hoped that the existing equipment could be used until the closure of the Tribunal, the arrest of two fugitives and the delays in the trial schedule brought about an extension in the life of the Tribunal and hence the operations of the courtrooms. The existing equipment cannot remain operational throughout the extended lifespan of the Tribunal and needs to be replaced. The increase is partly offset by decreased requirements for software in anticipation of the gradual downsizing of the Tribunal in the next biennium.

Grants and contributions (decrease: $269,200)

19. The decrease is due to the reduction of the Tribunal's contribution to the Department of Safety and Security in view of the significant decrease in the presence of Tribunal staff at field locations.

Archives

Table 6
Projected expenditure by object of expenditure and main determining factor
(Thousands of United States dollars)

Object of expenditure	*Revised 2010-2011 appropriation*	*Projected changes*				*Proposed 2010-2011 final appropriation*
		Rate of exchange	*Inflation*	*Post incumbency and other changes*	*Total*	
Other staff costs	1 859.2	44.4	16.3	(76.7)	(16.0)	1 843.2
Consultants and experts	58.5	1.6	0.5	(2.4)	(0.3)	58.2
Travel of staff	24.8	—	0.3	(0.2)	0.1	24.9
Contractual services	496.3	12.3	4.5	(51.0)	(34.2)	462.1
Furniture and equipment	1 323.3	33.1	12.0	(117.8)	(132.7)	1 190.6
Total requirements	**3 762.1**	**91.4**	**33.6**	**(308.1)**	**(183.1)**	**3 579.0**

Other staff costs (decrease: $76,700)

20. The decrease is mainly attributable to the fact that standard salary costs used in the budget were higher than the actual salaries paid to the incumbents.

Contractual services (decrease: $51,000)

21. The decrease is mainly due to postponement of some projects originally planned for 2011 that required consultation with the Archives and Records Management Section and the International Criminal Tribunal for Rwanda in the context of the Joint Archives Strategy Working Group. While significant progress has been made, longer-than-anticipated consultations were required owing to the complexity of the issues.

Furniture and equipment (decrease: $117,800)

22. The decrease is mainly due to delays in the implementation of projects that required consultation with the Archives and Records Management Section and the International Criminal Tribunal for Rwanda in the context of the Joint Archives Strategy Working Group.

III. Action to be taken by the General Assembly

23. **The General Assembly is requested to take note of the present report and to approve the final appropriation for the biennium 2010-2011 of $327,472,300 gross ($286,012,600 net) to the Special Account for the International Tribunal for the Former Yugoslavia.**

Annex I

Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

	Estimates used for the revised appropriation		*Proposed estimates for the final appropriation*	
Budget parameters	*2010*	*2011*	*2010*	*2011*
Rate of exchange (US$ 1: €)	0.753	0.753	0.754	0.716
Rate of inflation (percentage)	1.10	1.00	1.30	2.30
Post adjustment multiplier at The Hague (percentage)	50.73	52.00	50.52	57.54

Annex II

Trial activity during the biennium 2010-2011

1. The three Trial Chambers of the Tribunal continued to operate at record capacity, with two separate sittings in each of the Tribunal's three courtrooms from early morning to evening. With the three available courtrooms, the Tribunal is able to run six trials (in hearing phase) per day simultaneously from 9 a.m. to 7 p.m. Currently, there are six trials sitting regularly, while the judgement of another trial is in the drafting phase, bringing the number of active trials to seven. Further, the judgement was recently delivered in the *Perišić* case, while the Tribunal's two final substantive cases (the *Mladić* case and the *Hadžić* case) are currently in the pretrial stage.

2. At the time of preparation of the present report, of the 161 accused indicted by the Tribunal, 2 remained at the pretrial stage, awaiting the commencement of their trials. A total of 16 accused are currently being tried, and an additional 15 have appeals pending. All other cases have been completed. As of 20 July 2011, no persons accused by the Tribunal remained fugitives at large.

3. In the *Gotovina/Čermak/Markač* case (three accused), the defence case proceeded from mid-2009 until January 2010. By way of the judgement, which was delivered on 15 April 2011, Mr. Gotovina and Mr. Markač were sentenced to 24 and 18 years respectively, while Mr. Čermak was acquitted. Respective notices of appeal were filed by the involved parties on 16 May 2011.

4. In the *Perišić* case, the prosecution began its case on 3 October 2008 and closed it on 25 January 2010. The defence case was heard from 22 February 2010 to 11 January 2011. In the judgement, which was delivered on 6 September 2011, Mr. Perišić received a sentence of 27 years. Notices of appeal (if any) have yet to be filed in this case as the deadline has yet to run.

5. The *Stanišić and Simatović* case (two accused) began on 28 April 2008. Following an Appeals Chamber decision on 16 May 2008, the proceedings were adjourned as from 20 May for an indefinite period owing to the health of one of the accused. The proceedings were returned to a pretrial phase. On 17 December 2008, a further adjournment period was ordered. On 24 April 2009, the health of the accused was reassessed, and the accused were both ordered to return from provisional release no later than 4 May 2009. The pretrial conference was held on 2 June 2009, and the prosecution's opening statement was presented on 9 and 10 June 2009. The first witness testified for the prosecution on 29 and 30 June 2009. In August 2009, a counsel for Mr. Simatović died suddenly. Following another adjournment for replacement of the deceased counsel, the prosecution's case resumed on 30 November 2009 and closed on 5 April 2011. Currently, the defence of Mr. Stanišić is ongoing; the judgement is anticipated to be delivered in late 2012.

6. In the *Popović et al.* case (seven accused), closing arguments were conducted from 2 to 15 September 2009. The judgement was delivered on 10 June 2010. All the accused were found guilty and the sentences ranged from five years to life imprisonment. Notices of appeal have been filed by all parties with the exception of Ljubomir Borovčanin who is not appealing his sentence.

7. In the *Đorđević* case, the prosecution delivered its opening statement on 27 January 2009 and completed its case on 28 October 2009. The defence opened its case on 30 November 2009 and closed it on 20 May 2010. The judgement was delivered on 23 February 2011. Mr. Đorđević was sentenced to 27 years imprisonment. Notices of appeal and appeal briefs have been filed.

8. In the *Prlić et al.* case (six accused), presentation of evidence began on 26 April 2006, and the prosecution closed its case on 24 January 2008. The defence began presentation of its evidence on 5 May 2008 and closed its case on 28 May 2010. Judgement deliberations are ongoing and the judgement is expected in mid-2012.

9. The *Šešelj* trial commenced for the second time on 7 November 2007. However, the case was once again adjourned from February 2009 to January 2010. Following conclusion of the prosecution's case, a rule 98 bis hearing was held from 8 to 11 March 2011. On 28 October 2011, the Trial Chamber filed a public redacted version of the report of the amicus curiae appointed to investigate allegations by the accused of intimidation of witnesses by the prosecution. In his report, the amicus curiae found there were no sufficient grounds to instigate proceedings under rule 77 of the rules of procedure and evidence against any identifiable person in the case. Taking into account the time needed for the Chamber to rule on the accused allegations following receipt of the parties' observations, and the fact that the Chamber needs to render decisions on two voluminous pending motions recently filed by the accused, the Trial Chamber, on 31 October 2011, filed a scheduling order setting the dates for the submission of final briefs and closing arguments, on 5 February 2012 and 5 March 2012 respectively. A judgement is anticipated in the fall of 2012.

10. In the *M. Stanišić and S. Župljanin* case (two accused), opening statements were delivered on 14 September and the prosecution closed its case on 1 February 2011. The first defence team has concluded its case, while the second defence case is ongoing. The judgement is anticipated to be delivered in December 2012.

11. In the *Tolimir* case, the prosecution opened its case on 26 February 2010 and it is ongoing. As the prosecution case is near completion, a scheduling order was issued indicating that the defence case will begin in January 2012. As the defence case is not expected to be time-intensive, a judgement is anticipated in late 2012.

12. In the *Karadžić* case, the trial started on 26 October 2009, despite the non-attendance of the accused, who maintained that he was not adequately prepared. However, the accused began participating shortly thereafter with the prosecution case proceeding as expeditiously as possible. Owing to the extreme scope and complexity of this case, it is unlikely that a judgement will be issued before mid-2014.

13. In the *Lukić and Lukić* case (two accused), the prosecution began its case on 9 July 2008 and concluded it on 11 November 2008. The defence presented its case beginning on 15 December 2008, and final arguments were heard on 19 and 20 May 2009. The judgement was delivered on 20 July 2009. The accused Milan Lukić was sentenced to life imprisonment. The accused Sredoje Lukić was sentenced to 30 years' imprisonment. Notices of appeal and appeal briefs were filed and the appeal hearings were held on 14 and 15 September 2011. The appeals judgement is anticipated in early 2012.

14. In the *Milutinović et al.* case (six accused), the trial commenced on 10 July 2006. The defence began its case on 6 August 2007, and closing arguments were conducted from 19 to 27 August 2008. The judgement was rendered on 26 February 2009. One accused (Milutinović) was acquitted, and no appeal is being taken in his case. The other five accused were convicted and sentenced to periods of 22 years of imprisonment (Sainović, Pavković and Lukić) and 15 years of imprisonment (Ojdanić and Lazarević). The appeal judgement is expected in mid-2013.

15. In the *Haradinaj et al.* case (three accused), the Appeals Chamber judgement of 19 July 2010 found that there was a pervasive environment of witness intimidation that surrounded the trial proceedings. As such, a retrial of the case on a limited number of counts was ordered. The retrial began on 17 August 2011. The prosecution case is ongoing, and a judgement is expected in the fall of 2012.

16. Three contempt cases arose from the *Šešelj* trial. In the first contempt case involving the accused himself, Šešelj was tried for knowingly and wilfully interfering with the administration of justice by disclosing confidential information in violation of orders granting protective measures and by disclosing, in a book he authored, excerpts of the written statement of a witness. The trial judgement was rendered on 24 July 2009 and affirmed by the Appeals Chamber on 19 May 2010. The accused was sentenced to 15 months' imprisonment. The second contempt case involving the accused is for the same offence as the prior contempt case (disclosing confidential information in violation of orders granting protective measures). The trial was held on 22 February 2011. The third contempt case against the accused is for his failure to remove confidential material from his website in accordance with orders of the Tribunal. This case is currently in the pretrial stage.

17. One contempt case, arising from the *Lukić and Lukić* case remains in the pretrial stage. Ms. Jelena Rasić (a former case manager for Milan Lukić) is charged with contempt, as it is alleged that she had a number of witnesses attest to false statements on behalf of the defence. Ms. Rasić is currently on provisional release pending her trial, which is not anticipated to begin prior to early 2012 as the judges assigned to hear the case are unable to do so because of obligations with respect to ongoing cases.

18. One case involving an accused was tried in relation to the original *Haradinaj et al.* case. In the *Kabashi* case, the initial appearance of the accused, Shefqet Kabashi, occurred on 19 August 2011. Following a further appearance, in which he pleaded guilty to contempt for having refused to testify in the original *Haradinaj et al.* trial, Kabashi was sentenced to two months' imprisonment.

19. In the case of *Florence Hartmann*, the former spokesperson for the Prosecutor of the Tribunal from 2000 to 2006 was charged with contempt for knowingly and wilfully interfering with the administration of justice by disclosing information in violation of two orders of the Appeals Chamber by authoring a book containing the prohibited information. The trial was conducted from 15 to 17 June 2009 and on 1 July 2009. Closing arguments were presented on 3 July. The judgement was rendered on 14 September, and the accused was sentenced to pay a fine of €7,000. This judgement was confirmed by the Appeals Chamber on 19 July 2011.

Annex III

Voluntary contributions and trust fund activities

1. The General Assembly, in resolutions 49/242 B and 53/212, invited Member States and other interested parties to make voluntary contributions to the International Tribunal for the Former Yugoslavia, both in cash and in the form of services and supplies acceptable to the Secretary-General. As at 31 October 2011, cash donations of approximately $49.9 million had been received for the Voluntary Fund to support the activities of the Tribunal. Pledges amounting to $1,109,000 have also been received. For the period from 1 January 2010 to 31 October 2011, the Tribunal received $4,016,000 in voluntary cash contributions.

2. Voluntary contributions have been utilized for the Young Prosecutors Training Programme, which is aimed at strengthening the capacity of the countries of the former Yugoslavia to effectively investigate and prosecute war crimes, the outreach programme, the legacy activities of the Tribunal and the transfer of knowledge and materials of war crimes cases from the Tribunal to national jurisdictions. The status of voluntary cash contributions and cash pledges to support the activities of the Tribunal, as at 31 October 2011, is as follows:

Cash contributions to the Voluntary Fund, by contributor, as at 31 October 2011
(Thousands of United States dollars)

Contributions from inception to 31 December 2009	45 866.9
Contributions from 1 January 2010 to 31 October 2011	
University of California, Los Angeles — Legacy Conference 2010	50.4
Ministry of Justice of the Netherlands — Legacy Conference 2010	24.3
Federal Department of Foreign Affairs of Switzerland — Legacy Conference 2010	26.9
European Commission — Outreach project	570.3
Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights — Transfer of knowledge project	913.4
Ministry of Foreign Affairs of Finland, Legacy Conference 2010	6.1
European Commission — Office of the Prosecutor Young Prosecutors Training Programme	387.7
European Commission — Outreach project	602.4
Embassy of the Republic of Korea in the Netherlands — Legacy Conference 2011	15.0
OSCE Office for Democratic Institutions and Human Rights — Transfer of knowledge project	466.6
Federal Department of Foreign Affairs of Switzerland — Legacy publication project	2.2
Federal Department of Foreign Affairs of Switzerland — Albanian manual project	50.1
OSCE Office for Democratic Institutions and Human Rights — Transfer of knowledge project	90.0
Government of Norway — Emergency aid to witness project	25.8
European Commission — Office of the Prosecutor Young Prosecutors Training Programme	465.1
Government of Finland — Outreach youth project	26.9
European Commission — Outreach project	127.3
Government of the Netherlands — Legacy Conference 2011	109.1
Government of Switzerland — Legacy Conference 2011	56.4
Subtotal	**4 016.0**
Total	**49 882.9**

Cash pledges to the Voluntary Fund, by contributor, as at 31 October 2011

(Thousands of United States dollars)

OSCE Office for Democratic Institutions and Human Rights — Transfer of knowledge project	167.1
European Commission — Outreach project	613.9
European Commission — Outreach project	136.4
European Commission — Office of the Prosecutor Young Prosecutors Training Programme	109.1
Municipality of The Hague, Netherlands — Legacy Conference 2011	6.8
Ministry of Foreign Affairs of Luxemburg — Legacy Conference 2011	68.2
Foundation Open Society Institute — Legacy Conference 2011	7.5
Total	**1 109.0**

Projected expenditures by object of expenditure

(Thousands of United States dollars)

Object of expenditure	*2010-2011 estimate*[a]	*2010-2011 revised estimate*	*Increase (decrease)*
Other staff costs	2 129.1	2 798.8	669.7
Consultants and experts	18.0	18.0	—
Travel	146.6	242.3	95.7
Contractual services	233.0	300.6	67.6
General operating expenses	98.3	235.6	137.3
Supplies and materials	8.2	25.3	17.1
Grants and contributions	686.9	907.4	220.5
Total	**3 320.1**	**4 528.0**	**1 207.9**

[a] See A/66/386.

3. The increased requirements are mainly attributable to the implementation in 2011 of new projects for which funding had not been secured at the time of the formulation of the 2010-2011 estimates.